

• United States Patent and Trademark Office
- Sales Receipt -

05/24/2006 JMC MILLA 00000003 503718 10680525

01 FC:1201 200.00 DA

United States Patent and Trademark Office
- Sales Receipt -

05/24/2006 JMC MILLA 00000002 503718 10680525

01 FC:1814 130.00 DA

MAY 08 2006

PATENT APPLICATION
Attorney Docket: 10031303-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xie, et al

Serial No.: 10/680,525

Filed: 10/6/2003

For: Method, Device and System
for Optical Navigation

Group Art Unit: 2877

Examiner: Lyons, Michael

*Fee
Only*

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated 2/17/2006, in the above-identified patent application, Applicant submits the following Amendments and Remarks. Applicant respectfully requests that the following amendments be entered into the above-identified application and that the Examiner reconsider the grounds for rejection stated in the Office Action.

RECEIVED
CENTRAL FAX CENTER

003/013

MAY 08 2006

ATTORNEY DOCKET NO. 10031303-1

AVAGO TECHNOLOGIES, LTD.
P.O. Box 1920
Denver, Colorado 80201-1920

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Xie, et al

Serial No.: 10/680,525

Examiner: Lyons, Michael

Filing Date: October 6, 2003

Group Art Unit: 2877

Title: Method, Device and System for Optical Navigation

Free
OnlyCOMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450**TERMINAL DISCLAIMER**
RESPONSIVE TO A PROVISIONAL DOUBLE PATENTING REJECTION

Sir:

Petitioner, Avago Technologies Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 166 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/630,169, filed on 7/30/2003. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 166 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

For submissions on behalf of an organization (e.g., corporation), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.